

Beiersdorf 584.2-HCL
100718-368
6713-Dr. WI-ar

REMARKS***Status of patent application***

The issue fee was paid but evidently was not matched with SN: 09/396,560 resulting in its abandonment. The applicants have petitioned withdrawal of this abandonment due to PTO error but the petition has not been granted at the time of this response.

Non-Statutory Double Patenting Rejection

A terminal disclaimer has been filed over the parent application SN: 09/396,560 which renders this rejection moot but also the remaining non-statutory rejections as the parent application was also subject to terminal disclaimers over the application serial no. for U.S. Patent 6,391,321.

Closing

Applicants also believe that this application is in condition for allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Amendment under 37 CFR § 1.111 (3 pages) is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: 9 February 2004

By: Agata Glinka
Agata Glinka